

California Regional Water Quality Control Board
Santa Ana Region

August 26, 2005

ITEM: 16

SUBJECT: Status of Efforts to Require Suspected Dischargers to Investigate
Perchlorate Pollution in the Rialto, Colton and Chino Groundwater
Subbasins

DISCUSSION:

Pursuant to Section 13267 of the California Water Code, the Executive Officer has issued a total of twenty-two Investigation Orders to suspected dischargers and property owners. Pursuant to Section 13304 of the California Water Code, the Board has issued two Cleanup and Abatement Orders to four dischargers and property owners, and the Executive Officer has issued one Cleanup and Abatement Order to one discharger.

The following is a summary of activities that have occurred since the last status report:

Pyro Spectaculars, Inc. (Pyro), Whittaker Corporation (Whittaker) and Thomas O. Peters/Thomas O. Peters Revocable Trust (Peters) - Cleanup and Abatement Order (CAO) No. R8-2004-0042

Pyro and Whittaker formerly conducted operations at the 5-acre property addressed by this CAO. Peters is the property owner. Subsequent to their most recent soil investigation, Peters and Pyro have been participating in discussions with the County of San Bernardino in an attempt to develop an acceptable option to performing additional on-site investigations (the five-acre property overlies the perchlorate plume being addressed by the County). Board staff met with Pyro on July 26. Due to the significant perchlorate concentrations found beneath Pyro's former concrete containment basin (see below), Board staff requested Pyro to concentrate their resources on further investigations at the former basin at this time.

Whittaker submitted a report on its deeper soil investigation on June 10. Perchlorate was found at concentrations less than 1.0 mg/kg to the total depth of the borings (50 feet). Board staff will meet with Whittaker in the near future to discuss the findings of this investigation and any necessary future work.

Pyro Spectaculars, Inc. (Pyro)

Pyro submitted a report on the initial soil investigation of its former concrete containment basin (not located on the 5-acre property subject to the CAO described above) in April 2005. The concrete containment basin (20 feet by 20 feet by 4 feet) was used to submerge waste fireworks in water. Perchlorate was found at concentrations of

205 mg/kg at a depth of 15 feet and 106 mg/kg at a depth of 20 feet (the total depth of the boring). Board staff met with Pyro on July 26 and informed Pyro that additional work was necessary. Board staff conducted an inspection of the area where the basin is located with Pyro's new consultant on August 3. Pyro will submit a scope of work by the end of August. After receiving Board staff concurrence with the scope of work, Pyro will prepare and submit a work plan for additional soil sampling and for the installation of groundwater monitoring wells.

County of San Bernardino - CAO No. R8-2003-0013

A perchlorate treatment plant, which will be capable of treating water extracted from Rialto Well No. 3, is expected to be fully operational by September 30, 2005. The installation of six proposed extraction wells, to provide plume containment immediately upgradient of Rialto Well No. 3, and connection of those wells to the treatment plant, is expected to occur by January 31, 2006. In a letter dated July 13, 2005, the City of Rialto informed the County that, as a result of Rialto Well No. 1 recently being shut down due to the detection of perchlorate at 5.1 ppb, the City now needed replacement water, as required by the CAO. The County and the City are in the process of finalizing an agreement to facilitate the County providing replacement water to the City.

Goodrich Corporation

Board staff is currently drafting an agreement with Goodrich, which may include a draft consent order. Once a draft agreement and/or consent order is reached, it will be distributed for public comment prior to being presented to the Board for approval, modification or rejection. The public comment process will include one evening public meeting in the City of Rialto. It is anticipated that this agreement and/or consent order may be brought before the Board for consideration as early as the September or November regularly scheduled Board meeting.

Emhart Industries, Inc./Black & Decker (former West Coast Loading Corporation)

On February 28, 2005, the Executive Officer issued a cleanup and abatement order to Emhart and Black & Decker (U.S.), Inc. to preserve the Regional Board's claim against Emhart, which filed for dissolution in Connecticut in 2002. Emhart has requested a Board hearing on this matter. In a letter dated July 29, 2005, the Executive Officer notified Emhart and interested parties that the anticipated August 2005 hearing has been postponed and that the hearing may be scheduled in February 2006.